Supreme Court, U.S.
FILED
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DOCKET No.

IN THE
SUPREME COURT OF THE UNITED STATES

HERBERT W.G. CLANTON,

Petitioner,

-VS-

SPARROW HEALTH SYSTEM, ST. LAWRENCE HOSPITAL, LAURENCE DOMINO, MIKE BOWDEN ROLAND H. BRAIDLY,

Respondents.

MICHIGAN 30TH CIRCUIT COURT/JUDGE et seq/al, HON. BEVERLEY NETTLES-NICKERSON et seq/al,

Respondents.

ON PETITION FOR WRIT OF CERTIORARI
To The Michigan Appeals Court
ORDERS

PETITION FOR WRIT OF CERTIORARI

HERBERT W.G. CLANTON
IN PROPRIA PERSONA
P O. Box 6654
East Lansing, MI 48826
Phone: **NONE**

QUESTION FOR CONSIDERATION

Does the Petitioner have right of regress of grievance for Respondents egregious assaults, erroneous conducts, and/or fraudulent actions performed under ***color of law*** resulting in violations of Petitioner rights as afforded by a minimum of the First Amendment of the United States Constitution et seq, and/or the Fourth Amendment of the United States Constitution et seq?

Must the Petitioner endure and/or suffer Respondents et seq/al, and/or the Respondents Agents et seq/al unwarranted retaliation(s) for Petitioner disclosing of Respondents et seq/al, and/or the Respondents Agents et seq/al unwarranted actions resulting in concealments from the Petitioner relevant and/or related judicial subject matters that influences the court's opinion, decisions, judgments, and/or orders?

Did the Petitioner's exercise of Appeal of Right, and/or pursuit of Appellate Review as may be afforded pursuant to 28 USCA 2101 et seq, warrant court order sanction against Petitioner's efforts to obtain relief's as may be provided by 28 USCA 1257 et seq, and/or the Fourteenth Amendment of the United States Constitution?

Has the Michigan Appeals Court shown, affirmed, and/or establish that the judicial prejudice, and/or mandatory judicial biases directed against the Petitioner, is pursuant to mandates and directives of the United States Supreme Court?

PARTIES INVOLVED

Petitioner:
Herbert W.G. Clanton
Respondent(s):
Sparrow Health System, et seq/al,
St. Lawrence Hospital et seq/al,
Laurence Domino et seq/al,
Mike Bowden et seq/al,
Sparrow Science Health Pavilion
Roland H. Bra idly et seq/al,
Michigan 30TH Circuit Court
Hon. Beverley Nettles-Nickerson(P37191)
State Of Michigan et seq,
Other(s) to be defined et seq/al.
Party(s) of Relevant/Related Involvements:
United States Supreme Court et seq/al.
Michigan Attorney General:
Michael A. Cox(P43039) et seq/al,
James C. Coward Jr.,(P65426) et seq/al,
Ron D. Robinson(P35927) et seq/al,
Michigan Department of Transportation:
Kirk T. Steudle(Director et seq/al)
Leon Hank et seq/al,
Michael Gailey et seq/al,
John Friend et seq/al,
Cheryal Streyhorn(MDOT EEO) et seq/al,
Kirsh Truman et seq/al,
Dennis Armistead(MDOT OHR, JD) et seq/al,
Brenda O'Brien et seq/al,
Nye Stanford et seq/al,
Curtis Bleech et seq/al,
John W. Barak et seq/al,
Eric Oudsema et seq/al,
Gary M. Mayes et seq/al,
Vendors for the State Of Michigan:
Dr. Harvey Ager et seq/al,
Sparrow Health System, et seq/al,

St. Lawrence Hospital et seq/al,
Laurence Domino et seq/al,
Mike Bowden et seq/al,
Sparrow Science Health Pavilion
Roland H. Bra idly et seq/al,
Michigan Office Of the State Employer:
Kirsh Truman{ Director)et seq/al
Cheryl L. Schmittdiel(P34357) et seq/al,
Michigan Department of State Police et seq/al,
Michigan State Trooper Paul Gauthaus et seq/al,
SEIU 517M et seq:
Dennis Streeter et seq/al,
United States Department of Justice:
Federal Bureau Of Investigations{FBI)
United States Department of Labor:
Equal Employment Opportunity Commission
Wage and Labor Division

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JURISDICTION

This United States Supreme Court is vested with a minimum of jurisdiction over this matter pursuant to 28 USCA 1257 et seq, and/or the Supremacy Clause{ Article III of the United States Constitution et seq }. Addressing a minimum of issues regarding respondents actions under '**color of law**', see **Golden v. Biscayne Bay Yacht Club**, 521 F.2d 344, on rehearing 530 F.2d 16, 49 A.L.R. Fed. 563, certiorari denied 97 S.Ct. 186, 429 U.S. 872, 50 L.Ed.2d 152; see **Frazier v. Bailey**, 957 F.2d 920; see **Tachiona v. Mugabe**, 169 F.Supp.2d 259, reconsideration denied, 186 F.Supp.2d 383, affirmed in part, reversed in part and remanded 386 F.3d 205.—Intern Law 10.11, pursuant to the **unwarranted retaliations** of the Michigan Department of Transportation et seq/al, see **Pfister v Bryan Memorial Hosp.**(195, DC Neb) 874 F Supp 993, 67 BNA FEP Cas 163, and/or **court ordered sanctions** for Petitioner lawful efforts for Appeal of Right et seq/al, and/or petitioning for Appellate Review in accordance with 28 USCA 2101 et seq pursuant too 28 USCA 1257 et seq; see **Minnesota v. Clover Leaf Creamery Co.**, U.S.Minn.1981, 101 S.Ct. 715, 449 U.S.

456, 66 L.Ed.2D 659, rehearing denied 101 S.Ct. 1735, 450 U.S. 1027, 68 L.Ed.2d 222, on remand 304 N.W.2d 915, see **Gotthilf v. Sills**, N.Y.1963, 84 S.Ct. 187, 375 U.S. 79, 11 L.Ed.2d 159; see **Mississippi Power & light Co. v Mississippi**(1988) 487 US 354, 101 l Ed 2d 322, 108 S.Ct. 2428; see **Guy v Utecht** (1944, CA8 Minn) 144 F2d 913, see **Construction & General Laborers' Union v Curry** (1963) 371 us 542, 9 L Ed 2d 514, 83 S Ct 531, 52 BNA LRRM 2188, 46 CCH LC 50730.

CONSTITUTION PROVISIONS AT ISSUE

The Federal Constitutional Provisions, at issue are the First Amendment of the United States Constitution et seq, Fourth Amendment of the United States Constitution et seq, the Eighth Amendment of the United States Constitution et seq, and/or the Fourteenth Amendment of the United States Constitution et seq. **The First Amendment of the United States Constitution et seq, provides in part:**

> '**Congress shall make no law** -- or **abridging the freedom of speech**, --; **or the right of the people peaceably to assemble, and petition the Government for a redress of grievances.'**

AND, **The Fourth Amendment of the United States Constitution et seq, that provides as:**

> 'The **right of the people to be secure in their persons**, houses, papers, and effects, **against unreasonable searches and seizures, shall not be violated**, and **no Warrants shall issue, but upon probable cause, supported by Oath or affirmation**, and particularly describing the place to be search, and the persons or things to be seized.'

AND, **The Fourteenth Amendment of the United States Constitution et seq, provides in part:**

> 'All persons born or naturalized in the United States, and subject to the jurisdiction thereof,

are citizens of the United States and of the State wherein they reside. **No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.**'

STATEMENT OF THE CASE

The Respondents et seq/al, were acting under '**color of law**' when they violated MCLA 600.1445 et seq, MCLA 330.1713 et seq, 18 USC 241/242 et seq, and/or the Fourth Amendment of the United States Constitution et seq, when the Michigan Department of Transportation et seq/al, assaulted the Petitioner's efforts to seek reliefs through the SEIU Labor Agreement et seq, contrary to Petitioner's actions pursuant to compliance with the Michigan Elliott Larsen Civil Rights Act et seq and/or Title VII(see 42 USC 2000e-2 et seq, and/or see 42 USC 2000e-3 et seq). see ***Grimes v. Texas Dept. Of Mental Health and mental Retardation,*** *C.A.5(Tex.) 1996, 102 F.3d 137;* ***see Cordova v. Vaughn Mun. School dist. Bd. Of Educ.,*** *3 F.Supp.2d 1216.*

The joint efforts of the State of Michigan et seq, and the Respondents et seq/al, by alleging charges and/or claims that Petitioner is guilty of '**gun possession**', and egregious concealment of forced medical evaluations being performed on Petitioner, depriving Petitioner of **Due Process of Law et seq/al, and/or Equal Protections of the Law et seq/al,** in order to obtain court orders pursuant to erroneous summary dismissal, are subject matters repugnant to the United States Constitution et seq. see 18 USC 241/242 et seq, see Federal Civil Rights Act of 1964{see Title VI et seq, and/or see Title VII et seq }.

The court ordered sanctions for Petitioner's refusals to abandon his Appeal Of Right et seq, and/or lawful efforts for

Appellate Review{see 28 USCA 2101 et seq, and/or see 28 USCA 1257 et seq}, and/or the erroneous judicial conducts of the Michigan Court Of Appeals et seq, whereas to egregiously conceal from the Petitioner Orders for the accelerations of the Appellate Procedure et seq/al, and unjustly fail to notify the Petitioner of alleged failure to file briefs' after the Michigan Appeals Court has rendered judgment, and erroneously dismissed Petitioner's Appeal Of Right due to Michigan Appeals Court error(s), do at a minimum constitute violations of benefits, degrees of protections, and/or rights afforded/guaranteed this Petitioner by the **Equal Protections Clause of the Constitution** et seq/al, and/or the **Due Process Clause of the Constitution** et seq.

REASONS FOR GRANTING CERTIORARI WRIT

United States Supreme Court Rule 10.(c), lists among the considerations governing review on certiorari the circumstances when a state court, or a United States Court of Appeals has decided an important question of federal law that has not been, but should be, settled by this court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court. *see* ***Golden v. Biscayne Bay Yacht Club****, 521 F.2d 344, on rehearing 530 F.2d 16, 49 A.L.R. Fed. 563, certiorari denied 97 S.Ct. 186, 429 U.S. 872, 50 L.Ed.2d 152; see* ***Pennsylvania v. Ritchie****, Pa. 1987, 107 S.Ct. 989, 480 U.S. 39, 94 l.Ed.2d 40; see* ***Mississippi Band of Choctaw Indians v Holyfield****(1989) 490 US 30, 104 L.Ed 2d 29, 109 S Ct 1597.*

The erroneous judicial decisions in these actions have, at a minimum, attempted to overturn a minimum of legal precedent as having been establish by this most Honorable United States Supreme Court by a minimum of ***Basista v. Weir, 340 F.2d 74***, whereby resulting in direct assaults on the First Amendment of the United States Constitution et seq.

The Michigan Appeals Court has disclosed that there is an adopted status of prejudice by the Michigan Appeals

Court against the Petitioner, being derived from alleged judicial declarations and/or public policies being established by the Michigan Supreme Court and/or the United States Supreme Court, allegedly being fully endorsed by **United States Supreme Court**.

PETITIONER'S REASONING FOR CERTIORARI

The Petitioner's timely and proper Appeal Of Right et seq, Appellate Review et seq/al, and/or Certiorari et seq/al, are at a minimum pursuant to unwarranted conducts of the Respondents et seq/al, the Michigan Department of Transportation et seq/al, and/or Dr. Ronald H. Bradley et seq/al whereas to hide the results of the unwarranted forced medical examinations/experiments that are of relevant and/or related nature regarding the unwarranted assaults and/or egregious retaliations on the rights of the Petitioner too seek any and all relief as can be afforded by a minimum of the Michigan Elliott-Larsen Civil Rights Act et seq, 41 USCA 265 et seq, and/or Title VII{ see 42 USC 2000e-2 et seq, and/or see 42 USC 2000e-2 et seq }, pursuant to the First Amendment of the United States Constitution et seq, the Fourteenth Amendment of the United States Constitution et seq, 28 USCA 1331 et seq, 28 USCA 1343 et seq, and/or 28 USCA 1257 et seq. see 18 USCA 241 et seq/ 18 USCA 242 et seq, and/or see 18 USCA 1951 et seq.

REASONS FOR REMAND

The erroneous conducts and/or egregious acts of Michigan 30TH Circuit Court et seq, whereas to direct that the Petitioner is sanctioned for seeking Appellate Review pursuant to 28 USCA 2101 et seq, and wherein pursuant of a minimum of 28 USCA 1257 et seq, does at a minimum constitute assaults on the Petitioner's rights as defined by a minimum of the First Amendment of the United States Constitution et seq, and/or the Fourteenth Amendment of the United States Constitution et seq.

THE REMAND, to the United States Federal District Court{28 USCA 102(a)(1) et seq}, in addition to waiver of Michigan's **Eleventh Amendment Immunity** et seq/al, are proper pursuant to enforcement(s) of all benefits, degrees of protections, and/or rights afforded/guaranteed by a minimum of 28 USCA 1331 et seq, 28 USCA 1343 et seq, the Michigan Elliott-Larsen Civil Rights Act et seq, see Federal Civil Rights Act of 1964{see Title VI et seq, and/or see Title VII et seq}, the **Equal Protections Clause of the Constitution** et seq/al, and/or the **Due Process Clause of the Constitution** et seq.

CASE HISTORY

June 12, 1984 to present, Petitioner employed by the Michigan Department of Transportation et seq/al, without a single incident of disciplinary action. see Title VII et seq.

January 12, 2006 Petitioner demoted for pursing benefits, degrees of protections, and/or rights afforded/guaranteed by the Michigan Elliott-Larsen Civil Rights Act et seq, and/or the Federal Civil Rights Act of 1964{ see Title VII et seq }. see Title VI{42 USC 2000d et seq}, and/or see Fourteenth Amendment of the United States Constitution et seq.

February 6, 2006, the Petitioner proved that the Michigan Department of Transportation et seq/al, and/or the State Of Michigan et seq were engaged in egregious public policies of work place discrimination. see Title VII et seq.

February 7, 2006 the Petitioner having been threatened with a **'hangman noose'** that was placed in his work area, became the target of **HATE CRIMES.** see 18 USCA 241 et seq, and/or see 18 USCA 242 et seq.

April 7, 2006, the Respondents were retained by the Michigan Department of Transportations et seq/al, and/or the State Of Michigan et seq/al in direct violation of a minimum of MCL 600.1445{see Article 23, Section 14 of the SEIU Labor Agreement et seq}, to assault Petitioner's grievances regarding labor disputes and/or protesting public policies of work place discrimination, subject to resolution in

accordance the Federal Civil Rights Act of 1964{see Title VI et seq, and/or see Title VII et seq }.

April 25, 2006 Petitioner commenced civil actions against the Respondents for a minimum of violations of Petitioner's Constitutional Rights et seq/al. see First Amendment of the United States Constitution et seq, the Fourth Amendment of the United States Constitution et seq, and/or see Fourteenth Amendment of the United States Constitution et seq.

June 21, 2006 the Michigan 30th Circuit Court alleges that Respondents, while acting under **color of law,** with the Michigan Department of Transportation et seq, was without fault due to Respondents claims that "**no evaluation had been conducted**", and that Respondents were "**only doing what they had been contracted by the State of Michigan to do**". Thereupon dismissing Petitioner's complaint with prejudice. see 18 USC 241/18 USC 242 et seq.

June 23, 2006, the SEIU Union, informed the Petitioner that the Michigan Department of Transportation et seq/al, and/or the Respondents have had, on file, a record of medical examinations being performed on the Petitioner on May 17, 2006, this being completely contrary to respondents' testimony and the court's decision of the Michigan 30th Circuit Court that no medical examination had ever been performed. see MCLA 600.1445 et seq. see **18 USC 241** et seq and/or **18 USC 242**.

July 5, 2006 the Michigan Department of Transportation{ Leon Hank et seq, Michael Gaily et seq }, in an unwarranted act of egregious retaliations, alleged authority to, and in fact did illegaly invoke the Federal Family Medical Leave Act{**FMLA**[see 29 USC 2615 et seq]}, forcing Petitioner off work in violation of the Fourth Amendment of the United States Constitution et seq, and erroneously seizing Petitioner's assets in direct violation of a minimum of MCL 750.213 et seq, 18 USC 241 et seq, 18 USC 242 et seq, 18 USC 1951 et seq, and/or 18 USC 1961 et seq. see 29 USC 2617 et seq, see Fifth Amendment of the United States

Constitution et seq, and/or see Fourteenth Amendment of the United States Constitution et seq.

August 14, 2005 the Michigan 30TH Circuit Court, in retaliations for Petitioner's commencement of Appeal of Right from the Orders, ordered Petitioner to be sanctioned to cover the Respondents costs for Appeals, Appellate Review and/or Certiorari to the United States Supreme Court .

August 15, 2006 the Michigan Department of Transportation et seq/al, discloses their frauds and/or violations of the Petitioner's benefits as afforded by the Equal Protections Clause of the Constitution et seq, and/or the Due Process Clause of the Constitution et seq.

September 11, 2006 Michigan Appeals Court dismisses Petitioners Appeals of Right alleging that the Petitioner failed to comply with undisclosed Judicial Administrative Procedures.

December 13, 2006 the Michigan Supreme Court denies Petitioner's Applications for Leave to Appeal et seq/al.

January 4, 2007 Michigan Appeals Court dismisses Petitioners Appeals of Right alleging that the Petitioner failed to correct defective briefs'.

MICHIGAN 30TH CIRCUIT COURT REASONING

It is the statements of the Michigan 30TH Circuit Court et seq, and/or the Hon. Beverley Nettles-Nickerson et seq/al, that reads as follow(s):

> 'St. **Lawrence** and Dr. Domino and Mike Bowden were doing what they were contracted for to do by MDOT.' ***see page 17, lines 20-22, transcripts.***
>
> 'St. **Lawrence**, Dr. Domino and the associate worker, Mike Bowden were simply doing what they were contracted to do.'***see page 17, lines 20-22, transcripts***
>
> '**They are independent** third parties simply doing their job.' ***see page 22, lines 10-11, transcripts***
>
> **Transcripts: Clanton –v- St. Lawrence Hospital; Dr. Laurence Domino, Mike Bowden, 30 TH**

Circuit court Docket No:06-500-NO date:June 21, 2006.

That at a minimum defines that the Respondent(s) et seq/al, and/or the State Of Michigan et seq/al do stand in violations of the Petitioner's benefits, degrees of protections, and/or rights afforded/guaranteed by a minimum of the Michigan Elliott-Larsen Civil Rights Act et seq, 18 USC 241 et seq, 18 USC 242 et seq, and/or the Federal Civil Rights Act of 1964{ see Title VI et seq, see Title VII et seq }. see Fourteenth Amendment of the United States Constitution et seq.

RESPONDENTS REASONING

The Respondents et seq/al put forth arguments whereas follow(s):

'Sparrow had gotten more information from MDOT about certain work events in Mr. Clanton's past and that resulted in Mr. Clanton still showing up for the procedure and being referred to Mr. Bowden, who met with him separately to ask if he wanted to consent to go through with the, essentially, independent medical exam, psychiatric event.'

see page 7, lines 3-8, transcripts: Clanton –v- St. Lawrence Hospital; Dr. Laurence Domino, Mike Bowden; Michigan 30TH Circuit Court No:06-500-NO date: June 21, 2006.

Do at a minimum define where the Respondents seek to demand that all injuries inflicted on the Petitioner be attributed to their conduct(s) and/or actions of the State Of Michigan et seq/al, wherein regard to any and all actions whereas to constitute violations of a minimum of the Michigan Elliott-Larsen Civil Rights Act et seq, and/or Federal Civil Rights Act of 1964{ see Title VI et seq, and/or see Title VII et seq}, and/or see Fourteenth Amendment of the United States Constitution et seq.

The Respondents et seq put forth arguments whereas follow(s):

-- we offered not to pursue this to not ask for costs **if an appeal was not followed**, the Sparrow, St. Lawrence Hospital, defendants--

see page 4, lines 9-10, transcripts

transcripts: Clanton –v- St. Lawrence Hospital; Dr. Laurence Domino, Mike Bowden, 30 TH Circuit court No:06-500-NO date: August 2, 2006

Do provide proof and/or evidence that the Michigan 30TH Circuit Court et seq, assert court's authority and grant the Respondents reliefs' from appellate review pursuant as provided by S.Ct. Rule 43 et seq.

MICHIGAN APPEALS COURT REASONING

The Michigan Court Of Appeals, while withholding from the Petitioner the erroneous implementation of accelerated Appellate Procedures, egregiously failed to inform the Petitioner of alleged failures of the Petitioner to put forth brief's only after the Court had rendered judgments and put forth court's orders after implementation of retroactive filing constraints.

MICHIGN SUPREME COURT REASONING

Orders of the Michigan Supreme Court, alleges Petitioner actions pursuant to any and all manner of reliefs' as may be afforded pursuant to a minimum of 28 USCA 1257 et seq, to be at a minimum **vexatious** and award the Respondents additional relief form court's costs.

CONCLUSION

The unwarranted allege medical evaluations illegally perform on the Petitioner, by the Respondents et seq/al, on behalf of the State Of Michigan et seq/al do constitute violations of **MCLA 600.1445** et seq, **MCLA 750.213** et seq, **MCLA 750.410a** et seq, **MCLA 750.411** et seq, **18 USCA 241** et seq, **18 USCA 242** et seq, **18 USCA 1951** et seq, **18 USCA 1961** et seq, **Title VII** et seq, and/or are in direct violations of the benefits, degrees of protections,

and/or rights guaranteed the Petitioner by **Article I, Section(2, 3, 5, 16, 17) of the Michigan Constitution** et seq, the **First Amendment** of the United States Constitution et seq, the **Fourth Amendment** of the United States Constitution et seq, and/or the **Fourteenth Amendment** of the United States Constitution et seq/al. see Fourteenth Amendment of the United States Constitution et seq.

ARGUMENTS

QUESTION I:

Is the Petitioner within his right as provided by the First Amendment of the United States Constitution et seq, to seek Redress Of Grievance against the Respondents unwarranted designs for medical evaluations/experimentations to be performed pursuant to **'color of law'**?

Arguments: for question 1#

After the Petitioner inform the Respondents of the existence of labor disputes, Petitioner did commence lawful Regress of Grievances in accordance with a minimum of benefits, degrees of protections, and/or rights afforded/guaranteed this Petitioner et seq by a minimum of Article I, Section 17 of the Michigan Constitution et seq, the **First Amendment of the United States Constitution et seq**, and/or the **Fourteenth Amendment of the United States Constitution** et seq.

The Respondents et seq/al, being without just cause as mandated by a minimum of MCLA 600.1445 et seq, 18 USC 241/18 USC 242 et seq, and/or any permission of the Petitioner, to conduct any manner medical examination(s) on the Petitioner, do at a minimum define where the Respondents et seq/al are at a minimum in violations of benefits, degrees of protections, and/or rights afforded/guaranteed this Petitioner et seq, by a minimum of MCLA 600.1445 et seq, Article I, Section (2,17) of the Michigan Constitution et seq, and/or the Fourth Amendment

of the United States Constitution et seq. see Fourteenth Amendment of the United States Constitution et seq.

In recognition of the events of February 6, 2006 in which the Respondents{the Michigan Department of Transportation et seq(Dennis Armistead[MDOT OHR et seq/al, JD et seq)}, having **lost at a grievance hearing,** did result in unwarranted actions of illegal retaliation(s) against the Petitioner et seq wherein which the Respondents et seq/al, assaults' this Petitioner et seq in unwarranted violations of a minimum of MCLA 600.1445 et seq, MCLA 750.151 et seq, MCLA 750.213 et seq, 18 USCA 241 et seq, 18 USCA 242 et seq, 18 USCA 873/876 et seq, 18 USCA 1951/1961 et seq. see Fourteenth Amendment of the United States Constitution et seq.

QUESTION II:

Does the Petitioner status of employment with the Michigan Department of Transportation et seq, and/or the State Of Michigan et seq/al, constitute unconditional waiver of all benefits, degrees of protections, and/or rights afforded/ guaranteed by the United States Constitution et seq{see ***First Amendment*** et seq, see ***Fourth Amendment*** et seq, see ***Fifth Amendment*** et seq, see ***Sixth Amendment*** et seq, see ***Eighth Amendment*** et seq, see ***Fourteenth Amendment*** et seq }?

Arguments: for question 2#

The fact that the Petitioner is an employee of the Michigan Department of Transportation et seq/al, do not define where the Respondents et seq/al, the Michigan Department of Transportation et seq, and/or the State Of Michigan et seq/al shall have exclusive authority and sole jurisdiction over any and all of the benefits, degrees of protections, and/or rights afforded/guaranteed the Petitioner et seq by the Michigan Constitution et seq, and/or the United States Constitution et seq.

QUESTION III

Is the Right Of Appeal, and/or Appellate Review pursuant to 28 USCA 1257 et seq, protected by the First Amendment of the United States Constitution et seq?

Arguments: for question 3#

On June 21, 2006, the Michigan 30TH Circuit Court, did erroneously dismiss with prejudice the Petitioner Complaint pursuant to the pleading of the Respondents et seq/al.

On June 23, 2006, the Petitioner did for the first time obtain documents providing proofs that the Respondents et seq/al by way of Dr. Bradily et seq/al did perform an allege medical examination(s) on the person of Herbert W.G. Clanton et seq/al, and/or this Petitioner.

When the Respondents where given notice of commencement of Appellate Proceeding in the Michigan Court Of Appeals pursuant to a minimum of Appeal Of Right{MCR 7.203(A)(1) et seq}, the Respondents et seq/al did commence against the Petitioner unwarranted actions of retaliations and/or egregious assault(s) because of the refusal of the Petitioner to refuse to give up any of the benefits, degrees of protections, and/or rights afforded/guaranteed by a minimum of MCR 7.203(A)(1) et seq pursuant to a minimum of reliefs as may be obtained by 28 USCA 2101 et seq and/or 28 USCA 1257 et seq. see First Amendment of the United States Constitution et seq and/or see Fourteenth Amendment of the United States Constitution et seq.

QUESTION IV:

Does the 30TH Circuit Court direct the course of Appellate Review as mandated by a minimum of MCR 7.219 et seq, MCR 7.318 et seq, and/or S.Ct. Rule 43 et seq.

Arguments: for question 4#

On August 2, 2006, the Michigan 30TH Circuit Court et seq, while having full and complete knowledge of pending

Appellate Proceeding in the Michigan Court Of Appeals in the matter of Herbert W.G. Clanton -v- St. Lawrence et seq, Laurence Domino et seq, Mike Bowden et seq; Michigan Appeals Court Docket No: 272815; Michigan Appeals Court Docket No: 271432; 30TH Circuit court Docket No: 06-500-NO; does preside over judicial proceedings in which the Respondents Attorney(s) et seq/al augured for reliefs from costs in retaliation(s) to Petitioner's commencements of Appellate Proceedings in the Michigan Court Of Appeals et seq/al pursuant to MCR 7.203(A)(1) et seq. see Article I, Section 3 of the Michigan Constitution et seq, see First Amendment of the United States Constitution et seq, and/or see Fourteenth Amendment of the United States Constitution et seq.

The Respondents et seq/al, argues that all costs sought wherein regard to meeting the costs involved in representing the Respondents et seq on all matters of Appellate Review regarding matters before the Michigan Court Of Appeals{ see MCR 7.219 et seq}, the Michigan Supreme Court{see MCR 7.318 et seq }, and/or the United States Supreme Court{ see S.Ct.R.43 et seq },

CONCISE STATEMENT

The Petitioner et seq/al, and the Michigan Department of Transportation et seq/al are parties involved in a labor dispute, subject to the conditions of the SEIU Labor Agreement{see Article 23, Section (1-2) of the SEIU Labor Agreement et seq}. The Petitioner, effectively uncovering and disclosing unwarranted actions of the Michigan Department of Transportation et seq whereas to constitute work place discrimination, erroneous segregation in applications of Administrative Procedures et seq/al, and/or egregious retaliations(s) whereupon seeking to acquire a minimum of reliefs as provide by a minimum of Michigan Elliott-Larsen Civil Rights Act et seq and/or Federal Civil Rights Act of 1964{ see Title VI(see 42 USC 2000d et seq), and/or see Title VII(see 42 USC 2000e-2 et seq, and/or see

42 USC 2000e-3 et seq)}. see Fourteenth Amendment of the United States Constitution et seq.

As a result of a minimum of unwarranted violations of the benefits, degrees of protections, and/or rights guaranteed this Petitioner et seq by a minimum of MCL 600.1445 et seq, Article I, Section (2,17) of the Michigan Constitution et seq, the First Amendment of the United States Constitution et seq/al, and/or the Fourteenth Amendment of the United States Constitution et seq, the Respondents' et seq/al, where recruited in order to assault and/or put forth false claims and/or fraudulent statements under the guise medical examinations of the Petitioner, with Respondents' being complete in their knowledge(s) of their unlawful interferences in legal labor dispute, and with the Respondents' et seq/al having complete and total knowledge of their actions whereas too concede relevant and related facts, and/or the Respondents' et seq unwarranted dismissal of any and all of the Petitioner State and Federal, Civil and Constitution Rights et seq/al being relevant, related, and/or being contained therein. see MCLA 600.1445 et seq, see 18 USCA 241 and/or 18 USCA 242 et seq.

WHEN, the Petitioner refuse to renounce pursuit of his States and Federal, Civil and Constitution Right et seq/al, the Respondents' et seq/al obtain judgment and order of relief from costs as to what would be appropriate reliefs for the defense of the Respondents' et seq/al on matters of Appeal of Rights{see MCR 7.219(F)et seq}, and relief's for the defense of the Respondents' et seq/al on matters of Appellate Review{see MCR 7.318 et seq, and/or see S.Ct.R. 43 et seq}.

On August 14, 2006, the Michigan 30TH Circuit Court et seq, awarded Respondents' et seq/al costs for reliefs form matters regarding Appeal of Right et seq/al, and/or Appellate Review et seq/al contrary to a minimum of provisions as defined by MCR 7.219 et seq, MCR 7.318 et seq, and/or see S.Ct.R. 43[see Article VI(2) of the United States Constitution et seq }.

RECORD OF EVENTS

On February 6, 2006, the Petitioner attended a grievance hearing regarding a labor dispute pursuant to accordance with the SEIU Labor Agreement et seq, the Michigan Elliott-Larsen Civil Rights Act et seq, and/or the Federal Civil Rights Act of 1964{ see Title VI et seq, and/or see Title VII et seq }, where Mr. Dennis Armistead{MDOT OHR et seq/al, JD et seq/al}, unjustly **FAILED** to provide any answer, showing compliance with the SEIU Labor Agreement et seq/al, the Michigan Elliott-Larsen Civil Rights Act et seq, and/or the Federal Civil Rights Act of 1964{ see Title VI et seq, and/or see Title VII et seq }. see Fourteenth Amendment of the United States Constitution et seq.

On February 8, 2006, this Petitioner was informed by Mr. Dennis Armistead{**MDOT** Labor Relations Specialist et seq, JD et seq/al}, that the Petitioner is to be forced onto Administrative Leave due to allege complaints of alleged hostile behavior that **could not be explain**, **not shown**, and/or **not proven**. Whereupon, being in fear of life, safety, and/or false arrest the Petitioner did leave the building.

On February 27, 2006, the Petitioner did bear witness to a telephone conservation in which Mr. Dennis Armistead{ MDOT Labor Relations Specialist et seq, JD et seq/al }, stated to Mr. Dennis Streeter{ SEIU Labor Relations Specialist et seq/al }, of allegation of multiple phone call regarding complaint(s) alleging unknown persons claiming to be in fear of the Petitioner and demanding that **the police be directed to act against** the Petitioner. see Sixth Amendment of the United States Constitution et seq.

On March 23, 2006, Mr. Dennis Streeter{SEIU Labor Relations Specialist et seq/al}, ask Mr. Dennis Armistead{ MDOT Labor Relations Specialist et seq, JD et seq/al }, to explain the need for such medical evaluations, the person of Mr. Dennis Armistead{MDOT Labor Relations Specialist et seq, JD et seq/al }, stated as follow(s):

> ' ***Because on February 7, 2006 between the hours of 7:00am and 8:00am the person of Herbert W.G.***

Clanton spent an hour in the office of his supervisor John Barak, in a very intimidating manner talking about a friend who was in the national guard, who has three guns, who was having trouble with his supervisor, and that Herbert complemented his friend for not partaking of an act of violence.

And that Cheryl Strayhorn saw Herbert acting aggressively toward his new supervisor.

And that Herbert refuse to accept Eric as his new supervisor.'

On or about the date of April 16, 2006 the Petitioner informed the Respondents et seq/al, that the matter of concern was that of a labor dispute and the Petitioner was well within his right to seek reliefs pursuant to a minimum of the Elliott-Larsen Civil Rights Act et seq, 28 USCA 1331 et seq, 18 USCA 241 et seq, 18 USCA 242 et seq, 42 USCA 1983 et seq, 42 USCA 1985 et seq, 42 USCA 1986 et seq, and/or the Federal Civil Rights Act of 1964{ see Title VI et seq, and/or see Title VII et seq }, and that the Respondents et seq/al should not interfere.

On April 25, 2006, the Petitioner while being unjustly subject to unwarranted actions of the State Of Michigan et seq/al whereas to at a minimum constitute violations of a minimum of MCLA 600.1445 et seq, MCLA 750.213 et seq, 18 USCA 241 et seq, and/or 18 USCA 242 et seq, did make appearance before the Respondents et seq/al, and was informed that the Respondents et seq/al had purposely altered an **agenda without knowledge and/or without the consent** of the Petitioner and that the **unwarranted refusals of the Respondents et seq/al** too disclose any detail being relevant, related, and/or contained therein, the Petitioner **under fear for his life did leave.**

On May 3, 2006, the Petitioner was forced to address erroneous charges put forth by the Michigan Department of Transportation et seq/al, a minimum of which allege ***insubordination*** in regard to the fact that the Petitioner did refuse to give up any of benefits, degrees of protections,

and/or rights afforded/guaranteed by a minimum of the First Amendment of the United States Constitution et seq/al, the Fourth Amendment of the United States Constitution et seq/al, the Fifth Amendment of the United States Constitution et seq/al, the Sixth Amendment of the United States Constitution et seq/al, and/or the Fourteenth Amendment of the United States Constitution et seq/al. see MCLA 600.1445 et seq,, see MCLA 750.213 et seq, see 18 USCA 241/242 et seq, 18 USCA 1951/1961 et seq.

Once again the person of Mr. Dennis Streeter{ SEIU Labor Relations Specialist et seq/al }, ask Mr. Dennis Armistead{ MDOT Labor Relations Specialist et seq, JD et seq/al }, to explain the need for such medical evaluations, the person of Mr. Dennis Armistead{ MDOT Labor Relations Specialist et seq, JD et seq/al }, stated as follow(s):

> ***'It came up some time after February 7, that on are about the date of December 11, 2005 that Herbert was talking about gun and Charles Manson.'***

When Mr. Dennis Armistead{ MDOT Labor Relations Specialist et seq, JD et seq/al }, was shown to be in error, the person of Mr. Dennis Armistead{ MDOT Labor Relations Specialist et seq, JD et seq/al }, then asserted that a **mental examination** would be conducted because the Petitioner had filed **civil proceedings** in **United States Federal District Court** et seq, in Detroit, and because of the civil actions file in the Michigan 30TH Circuit Court against the Respondents et seq/al, and the Michigan Department of Transportation et seq/al.

Whereupon, the person of Mr. Dennis Armistead{ MDOT Labor Relations Specialist et seq, JD et seq/al }, and Mr. Leon Hank{ MDOT Administrative Officer et seq/al }, did issue to this Petitioner a directive to submit to a mental examination or be **fired**. see MCLA 600.1445 et seq, see MCLA 750.213 et seq, see 18 USCA 241 et seq, see 18 USCA 242 et seq, and/or see 18 USCA 1951/1961 et seq.

On May 17, 2006, the Petitioner appeared at the Sparrow Health Science Pavilion et seq/al, for forced mental examination(s). The resulting egregious statements which reads as follow(s):

> ***'Mandatory evaluation of mental status: MDOT concerned about hostility, anger, "gun possession."'*** see Presenting Problem page 1 of Psychosocial History and Assessment via Dr. Roland H. Braidly{ Sparrow Health Systems et seq/al }.

ARE AT A MINIMUM, examples of the false statements, and/or fraudulent declarations that the Respondents et seq/al knowingly choose too adapt at the expense of the Petitioner.

On June 21, 2006, the Respondents et seq/al, while failing to disclose that an allege medical examination(s) did occure, did pur forth erroneous declarations and/or fraudulent claims whereby did obtaining orders for dismissal of Petitioner's complaint with prejudice.

On or about July 3, 2006, the Petitioner did commence Appeal Of Right{ see MCR 7.203 et seq }, in recognition of the fact that the order's of dismissal with prejudice unjustly denied this Petitioner any manner of reliefs as may have been provided pursuant to **MCR 2.119(F)(3)** et seq.

On July 5, 2006, the Michigan Department of Transportation et seq/al, and/or the State Of Michigan et seq/al in direct violations of **29 USCA 2617** et seq, did illegally force this Petitioner onto the **FMLA**{see 29 USC 2601(see 29 USCA 2615 et seq/al)}, based on the fraudulent statements as provided by the Sparrow Health Science Pavilion{ Sparrow Health Systems et seq/al}. see 18 USCA 241 et seq/18 USCA 242 et seq, 18 USCA 1951/1961 et seq.

On July 19, 2006, the Petitioner received letter from Respondents' Attorney(s) et seq/al and motion for judicial proceedings to rehearing and/or reviewing proceeding having been dismissed with prejudice, and/or conducting circuit court review of matters pending on Appeal Of Right{ see MCR 7.203 et seq/al }.

STATEMENTS

On June 21, 2006 the Respondents et seq/al, did petition the court to dismiss the Petitioner Complaint because the Respondents et seq/al allege that there was **no examination** having been performed on the Petitioner, contrary to the fact that there did exist information, evidence, and/or evidence.

The order of dismissal was rendered with prejudice pursuant to the demands of the Respondents et seq/al, and any and all matters that the Respondents et seq/al believed to be or relevance was contained within said order of dismissal, including any and all costs that the Respondents et seq/al and/or the Respondents Attorney(s) et seq/al believed to be of considerations. ***see Pulley v. Chicago, R.I. & P. Ry. Co., 251 P. 1100, 122 Kan. 269.***

The Respondents et seq/al have had their **day in court**. *see* ***Town of Asheboro v. Miller, 17 S.E.2d 105, 107, 220 N.C. 298.***

The fact that the Respondents et seq/al, assert that their motion for costs is derived from the Petitioner timely and proper petition pursuant to Appeal Of Right et seq, Appellate Review, and/or ***Certiorari et seq/al***, do define that it is at a minimum appropriate to find the actions of the Respondents et seq/al to be at a minimum unwarranted actions of retaliation(s), being in violations of a minimum of MCLA 750.151 et seq, MCLA 750.152 et seq, MCLA 750.153 et seq, 18 USCA 241 et seq, 18 USCA 242 et seq, 18 USCA 1951 and/or 18 USCA 1961 et seq. see U.S. v. City of Philadelphia, C.A.3 (Pa.) 1980, 644 F.2D 187.

The Petitioner is entitle to **have his day in court** in regard to the material facts and/or relevant material evidence(s) that the Respondents et seq/al and/or the Respondents Attorney(s) et seq/al conceal form the Petitioner, the Michigan 30TH Circuit Court et seq. see **Spector v. Superior Court of San Mateo County, 13 Cal.Rptr. 189, 192, 361 P.2d 909, 55 C.2d 839.**

WHEREFORE, the granting of Certiorari, the waiver of **Michigan Immunity** et seq/al, Remand, and/or Appellate

Reliefs{see Title VI et seq/al, and/or see Title VII et seq, see 28 USCA 1331 et seq, see 28 USCA 1343 et seq, and/or see 28 USCA 1257 et seq}, may begin to provide some approach to justice pursuant to 28 USCA 2101 et seq, and/or 28 USCA 1257 et seq, and/or the Fourteenth Amendment of the United States Constitution et seq, where the 30TH Judicial Circuit Court et seq, and/or the Hon. Beverly Nettles-Nickerson et seq/al currently hasn't, and/or does refuse too. see 28 USCA 1257 et seq, see First Amendment of the United States Constitution et seq, and/or see Fourteenth Amendment of the United States Constitution et seq.

REASONSING OF THE PETITIONER

It is the SEIU Labor Agreement et seq that limits to manner in which the Petitioner can seek Regress Of Grievance et seq/al pursuant to a minimum of the First Amendment of the United States Constitution et seq, and/or the Fourteenth of the United States Constitution et seq, for unwarranted actions of the State Of Michigan et seq/al whereas to not afforded or give recognition to the work elements having been carned, *see Clark v Uniroyal Corp. (1982) 119 Mich App 820, 327 NW2d 372, 39 BNA FEP Cas 1368, 31 CCH EPD 33476*, too address unwarranted actions of work place harassments, *see Collins v. Executive Airlines, Inc., S.D.Fla. 1996, 934 F.Supp. 1378,* and/or too address unwarranted actions of retaliations(s), *see McCue v. State of Kan., Dept. of Human Resources, D.Kan.1996, 938 F.Supp. 718,* being unjustly directed against the Petitioner, pursuant to any and all reliefs as can be afforded by a minimum of the Michigan Elliott-Larsen Civil Rights Act et seq and/or Title VII et seq. see First Amendment of the United States Constitution et seq and/or see Fourteenth Amendment of the United States Constitution et seq. *see McCutchen v. Sunoco, Inc., E.D.Pa.2002, 2002 WL 1896586, Unreported; see Boyle v. Burke, C.A.1 (N.H.) 1991, 925 F.2d 497.* see MCLA 750.213 et seq, see MCLA 750.410a et seq, see 18 USCA 241 et seq and/or see 18 USCA 242 et seq, 18 USCA 1951 et seq,

and/or 18 USCA 1961 et seq, *see U.S. v. Guest, U.S.Ga.1966, 86 S.Ct. 1170, 383 U.S. 745, 16 l.Ed.2d 239.*

Where the Respondents et seq/al refuse to respect any of the right of the Petitioner too seek resolutions pursuant to conditions of employment as defined by a minimum of Article 23, Section (1-2) of the SEIU Labor Agreement et seq, the Petitioner did commence timely and proper civil proceedings against the Respondents et seq/al. see Article I, Section 13 of them Michigan Constitution et seq, and/.or see Fourteenth Amendment of the United States Constitution et seq. *see Gregory v. McInnis, 134 S.E. 527, 140 S.C. 52.*

RESPONDENTS' CONDUCTS/ACTIONS

The Respondents et seq/al were hired and/or retained by the Michigan Department Of Transportation et seq/al, and./or the State Of Michigan et seq/al, to act under '***color of law***', *see Golden v. Biscayne Bay Yacht Club, 521 F.2d 344, on rehearing 530 F.2d 16, 49 A.L.R. Fed. 563, certiorari denied 97 S.Ct. 186, 429 U.S. 872, 50 L.Ed.2d 152; see Dennis v. Sparks, 101 S.Ct. 183, 499 U.S. 24, 66 L.Ed.2d 185,* pursuant to aiding in the unwarranted violations and/or egregious assaults on the rights of Herbert W.G. Clanton et seq/al, and/or the Petitioner to seek any and all reliefs as can be afforded by a minimum of the Michigan Elliott-Larsen Civil Rights Act et seq, 41 USCA 265 et seq, and/or Title VII et seq, pursuant to the First Amendment of the United States Constitution et seq, the Fourteenth Amendment of the United States Constitution et seq, 28 USCA 1331 et seq, 28 USCA 1343 et seq, and/or 28 USCA 1257 et seq. see 18 USCA 241 et seq, and/or 18 USCA 242 et seq. *see Roberts v. Acres, C.A.7 (Ill.) 1974, 495 F.2d 57.*

The Respondents et seq/al failed to address the timely and proper Motion For Habeas Corpus et seq/al, Motions for Injunctions et seq/al, Motion For Contempt et seq, *see Davilla v Fischer Corp. (In re Robertson) (1995) Mich App 433, 531 NW2d 763,* and/or Motion For Default Judgment et seq/al, *see Mason v Marsa (1985) 141 Mich App 38, 366*

NW2d 74, being timely and properly sought by the Petitioner. see First Amendment of the United States Constitution et seq, and/or see Fourteenth Amendment of the United States Constitution et seq. see Morales v. Turman, E.D.Tex.1971, 326 F.Supp. 677.

30TH CIRCUIT COURT'S ABUSE OF AUTHORITY

The 30TH Judicial Circuit Court et seq, egregiously put forth erroneous ambiguous orders for summary dismissal with prejudice, not allowing for any chance of reliefs pursuant to a minimum of MCR 2.119(F)(3) et seq, and unjustly overturning at a minimum relevant and/or related presented of ***Adickes v. S.H. Kress & Co., 398 U.S. 144, 152 (1970); United States v. Price 383 U.S. 787, 794 (1966).*** see Article VI(2) of the United States Constitution et seq.

SUMMARY

WHEREFORE, it is at a minimum appropriate to find that the Respondents et seq/al while acting under ***'color of law'***, did at a minimum commit violations of a minimum of MCLA 600.1445 et seq, MCLA 750.410a et seq, 18 USCA 241 et seq, and/or 18 USCA 242 et seq, while concealing material subjects matters in pursuit of obtaining an order of dismissal with prejudice, and/or failing to discharge a minimum of obligations as mandated by a minimum of MCLA 750.411 et seq{*see Esco Operating Corporation v. Kaplan, 258 N.Y.S. 303, 144 Misc. 646*}, and/or at a minimum do stand in unwarranted violations of MCR 2.612(C)((1)(c) et seq, 18 USCA 241 et seq, and/or see 18 USCA 242 et seq, **AND**, it is appropriate that the order of dismissal is reversed and set-aside, and that the case be remanded to the United States Federal district Court{ see 28 USCA 102(a)(1) et seq }, that the Petitioner shall enjoy all relief's sought FORTHWITH.

RETALIATIONS AGAINST PETITIONER

The rights of the Petitioner to seek reliefs is protected by the Civil Rights Act of 1964{ see Title VI(see 42 USC 2000d

et seq), and/or see Title VII(see 42 USC 2000e-2 et seq, and/or see 42 USC 2000e-2 et seq)}, the First Amendment of the United States Constitution et seq, and/or the Fourteenth Amendment of the United States Constitution et seq. It is inappropriate for the Respondents et seq/al, the Michigan 30TH Judicial Circuit Court et seq/al, to commit unwarranted actions of assault(s) and/or egregious retaliations, where it is the understandings and/or beliefs of the Petitioner that the failure(s) of the 30TH Judicial Circuit Court et seq/al, to afforded the Petitioner any and all benefits, degrees of protections, and/or rights afforded/guaranteed by the Equal Protections Clause of the Constitution et seq and/or the Due Process Clause of the Constitution et seq may be address and/or corrected pursuant to Appellate Review and/or relief as may be afforded pursuant to 28 USCA 1257 et seq. *see Herb v Pitcairn (1945) 324 US 117, 89 L Ed 789, 65 S.Ct. 459(ovrld in part on other grounds by Michigan v Long (1983) 463 US 1032, 77 L Ed 2d 1201, 103 S Ct 3469).*

MICHIGAN APPEALS COURT JURISDICTION

The Petitioner timely and proper Appeal Of Right{MCR 7.203 et seq}, is at a minimum protected at a minimum by the First Amendment of the United States Constitution et seq. ***see People v. Brothman, 4 Mich App 709.***

It is at a minimum inappropriate for Respondents et seq/al, to petition, request, direct, and/or demand that the 30TH Circuit Court et seq/al, directly and/or indirectly attempt too enjoin the Michigan Court Of Appeals{see MCLA 600.301/MSA 27A.301 et seq/al}, ***see People v. Milton, 393 Mich 234 et seq,*** regarding any of the matters before the Michigan Court Of Appeals{ see MCLA 600.308/MSA 27A.308 et seq }, the Michigan Supreme Court et seq/al, and/or the United States Supreme Court{ see S.Ct. Rule 43 et seq }. ***see Kadri v. Ford Motor Co., 134 Mich App 138.*** see Article I, Section 17 of the Michigan Constitution et seq and/or see Fourteenth Amendment of the United States Constitution et seq. *see Alan v County of*

Wayne (1972) 388 Mich 210, 200 NW2d 628, 67 ARL3d 1079, adhered to (1972) 388 Mich 626, 202 NW2d 277.

It is appropriate to find that the erroneous actions of the Respondents et seq/al, do at a minimum constitute unwarranted violations of 18 USCA 241 et seq, and/or 18 USCA 242 et seq, pursuant to a minimum of the benefits, degrees of protections, and/or the rights afforded/guaranteed the Petitioner by 28 USCA 1257 et seq. see First Amendment of the United States Constitution et seq, and/or see Fourteenth Amendment of the United States Constitution et seq. *see U.S. v. State of Mich., W.D.Mich. 1978, 460 F.Supp. 637.*

It is at a minimum appropriate, by way of injunction from the United States Supreme Court et seq, and/or the appropriate United States Federal District Court et seq, to direct that the Michigan 30TH Circuit Court et seq/al, will cease and desist any and/or all unwarranted judicial proceeding(s)/actions(s) regarding matters that may be reviewed by this United States Supreme Court{ see 28 USCA 1257 et seq }, ***see Jones v. Chrysler Corp., 394 Mich 432***. see First Amendment of the United States Constitution et seq, and/or see Fourteenth Amendment of the United States Constitution et seq. see *Detroit & M. Ry. Co. v. Michigan R.R. Commission, U.S.Mich. 1916, 36 S.Ct. 424, 240 U.S. 564, 60 L.Ed. 802.*

It is at a minimum appropriate to award FORTHWITH SUMMARY JUDGMENT RELIEFS, to the Petitioner et seq regarding all manner of reliefs sought in trial court proceeding pursuant to a minimum of MCR 2.116(C)(9) et seq, ***see American State Ins. Co. v Albin (1982) 118 Mich App 201, 324 NW2d 574***, MCR 2.612(C)(1)(c) et seq, ***see Stallworth v Hazel (1988) 167 Mich App 345, 421 NW2d 685,*** MCR 2.119(F)(3) et seq, and/or 28 USCA 1257 et seq/al, see *Brown v Libbey-Owens-Ford Co. (1987) 166 Mich App 213, 420 NW2d 106, app den (1988) 430 Mich 860,* and/or any and all manner of reliefs as allowed by Michigan Statutes et seq, the Michigan Constitution et seq, relevant

and/or related Federal Statutes et seq, the United States Constitution et seq, all manner of reliefs as this court deems just(s), fair and/or proper et seq and/or all manner of reliefs that this court can render.

SUMMARY IN BRIEF'S

The Petitioner commence timely and proper Civil actions and/or civil suit where Respondents et seq refused to acknowledge constitutional rights of the Petitioner to seek legal remedy pursuant to a minimum of the Michigan Elliott-Larsen Civil Rights Act et seq, and/or Federal Civil Rights Act of 1964{ Title VI et seq, and/or see Title VII et seq }. *see Ciafrei v. Bentsen, D.R.I. 1995, 877 F.Supp. 788.*

After the judicial proceedings of the Michigan 30TH Circuit Court et seq, resulting in prejudicial summary dismissal pursuant to erroneous demands and/or fraudulent pleadings of the Respondents et seq of June 21, 2006, the Petitioner et seq on June 23, 2006, obtain a copy of the documents containing the erroneous claims and/or fraudulent statements of Respondents et seq/al co-collaborator Sparrow Health Science Pavilion{Dr. Roland Bradley(a.k.a. Total Health Care Services et seq/al)}, see **People v. Perry**, 218 Mich App 520: 554 NW2d 362(1996), aff'd 460 Mich 55; 594 NW2d (199), which read as follow(s):

> ***'Mandatory evaluation of mental status. MDOT concerned about hostility, anger, "gun possession."'***
> see Presenting Problem page 1 of Psychosocial History and Assessment, May 17, 2006.'

BEING SUBJECT MATTER, in complete contradiction with the statements put forth by Michigan State Police Trooper Paul Gauthaus et seq/al, Cheryl Strayhorn{ MDOT EEO Officer et seq }, Dennis Armistead{ MDOT OHR seq/al, JD et seq/al }, and/or the State Of Michigan et seq/al. see MCLA 750.213 et seq, see 18 USCA 241 et seq and/or see 18 USCA 242 et seq. see U.S. v. Morado, C.A.5(Tex.) 1972, 454 F.2d 167, certiorari denied 92 S.Ct. 1767, 406 U.S. 917, 32 l.Ed.2d 116.

Where it is the beliefs and/or understandings of the Petitioner that judicial discoveries, see ***Maerz v. United States Steel Corp***. (1982) 116 Mich App 710, 323 NW2d 524, would have disclosed that the Respondents et seq/al, was and is currently partaking in egregious illegal actions in violations of a minimum of the benefits, degrees of protections, and/or rights afforded/guaranteed Herbert W.G. Clanton et seq/al, and/or the Petitioner et seq by a minimum of MCLA 750.213 et seq, MCLA 750.410a et seq, MCLA 750.411 et seq, 18 USCA 241 et seq, and/or 18 USCA 242 et seq, *see U.S. v. Lester, C.A.6. (Ky.) 1966, 363 F.2d 68, certiorari denied 87 S.Ct. 705, 385 U.S. 1002, 17 L.Ed.2d 542, rehearing denied 87 S.Ct. 951, 386 U.S. 938, 17 L.Ed.2d 813, see People v. Perry, 218 Mich App 520: 554 NW2d 362(1996), aff'd 460 Mich 55; 594 NW2d (199).*

The unwarranted actions of the 30TH Circuit Court et seq/al, and/or the Hon. Beverley Nettles-Nickerson et seq/al, resulting in prejudicial dismiss of Petitioner's Complaint do constitute an unwarranted rush to judgment. ***see Steele v Baldwin (1968) 12 Mich App 352, 162 NW2D 917***.

The Appeal Of Right et seq/al being commence by the Petitioner, being that the Respondents et seq/al has affirmed that it is one of the primary reason for petitioning Michigan 30TH Circuit Court et seq/al, render judgment(s) regarding cost(s), pursuant to efforts to induce undue influence on the Appellate Proceedings before the Michigan Court Of Appeals et seq, the Michigan Supreme Court et seq, and/or this United States Supreme Court et seq/al, do at a minimum constitute unwarranted violations of the Petitioner benefits, degrees of protections, and/or rights afforded/guaranteed by a minimum of 18 USCA 873 et seq, *see U.S. v. Holmes, S.D.Tex.1953, 110 F.Supp. 233, 18 USCA 876 et seq, see U.S. v. Nilsen, C.A.11(Fla.) 1992, 967 F.2d 539, certiorari denied 113 S.Ct. 1856, 507 U.S. 1034, 1123 L.Ed.2d 478.*

PETITIONER'S SUMMARY OF MATTERS

The Respondents had knowledge well in advance of the Petitioner commencement of civil proceedings, pursuant to the Petitioner right to be free from Respondents unjust hostile designs unwarranted intent and/or unlawful assaults against the Petitioner pursuant to benefits and rights to partake of degrees of protections as afforded by a minimum of the Michigan Elliott-Larsen Civil Rights Act et seq and/or Federal Civil Rights Act of 1964{ see Title VI et seq, and/or see Title VII et seq }. see 18 USCA 241 et seq and/or see 18 USCA 242 et seq.

The Respondents pursuant to illegal agreements with the Michigan Department of Transportations et seq/al, and/or the State Of Michigan et seq/al, acting under '**color of law**', while concealing material evidence did obtain orders for prejudicial summary dismissal without costs, and without benefits of a minimum of the benefits, degrees of protections, and/or rights afforded/guaranteed the Petitioner pursuant to a minimum of MCR 2.119(F){see Article I, Section (2,3,16,17) of the Michigan Constitution et seq}. see First Amendment of the United States Constitution et seq, and/or see Fourteenth Amendment of the United States Constitution et seq.

The Respondents being duly notified of timely and proper of Petitioner's comments of Appeal Of Right{see MCR 7.203 et seq}, then threaten that if the Petitioner did not abandon and cease pursuit of the Petitioner State and Federal, Civil and Constitutional Rights et seq, then the Respondents would use the Michigan 30TH Circuit Court et seq, too inflict unwarranted financial hardship upon the Petitioner contrary to MCLA 750.213 et seq, 18 USCA 241, 18 USCA 242 et seq, 18 USCA 873, 18 USCA 876 et seq, 18 USCA 1951 et seq, and/or 18 USCA 1961 et seq. see Fifth Amendment of the United States Constitution et seq and/or see Fourteenth Amendment of the United States Constitution et seq.

SUMNMARY JUDGMENTS PETITIONS

Respondents joint efforts with the Michigan Department of Transportation et seq/al, and/or the State Of Michigan et seq/al where acting under ***color of law.*** *see Cordova v. Vaughn Mun. School dist. Bd. Of Educ., 3 F.Supp.2d 1216, see Weiss v. Willow Tree Civic Ass'n, 467 F.Supp. 803.* see 18 USCA 241 et seq and/or see 18 USCA 242 et seq. see U.S. v. O'Dell, C.A.6 (Tenn.) 1972, 462 F.2d 224.

The unwarranted erroneous judicial mandates of the Michigan 30TH Circuit Court et seq/al, that St. Lawrence Hospital et seq/al, Laurence Domino et seq/al, Mike Bowden et seq/al, and/or the Respondents et seq/al per request of the Michigan Department of Transportation et seq/al, and/or the State Of Michigan et seq/al, where only acting in accordance **with that for which they did contract fore**. *see U.S. v. Price, U.S.Miss.1966, 86 S.Ct. 1152, 383 U.S. 787, 16 l.Ed.2d 267; see U.S. v. Lynch, N.D.Ga.1950, 94 F.Supp. 1011, affirmed 189 F.2d 476, certiorari denied 72 S.Ct. 50, 342 U.S. 831, 96 L.Ed. 629.*

On **August 15, 2006** Attorney James C. Coward, Jr.(P65426), of the Michigan Attorney General's Office et seq/al, while in the presence of Mr. Dennis Streeter{ SEIU Labor Relations Specialist et seq }, Cheryl Bollinger{ SEIU Executive Administrator, Technical Division et seq }, and this Petitioner, did observe and witness the person of Mr. Dennis Armistead{ MDOT OHR et seq, JD et seq }, freely declared that the allegations made against the Petitioner are the result false allegations, that the alleged events of **Sunday December 11, 2005** never occurred, that the fraudulent allegations against the Petitioner regarding '**gun possession**' as alleged by MDOT et seq/al are at a minimum false and/or fraudulent, and/or that the State Of Michigan et seq/al are without any sworn statements and/or witness statements regarding any and/or all erroneous allegations against the Petitioner, *see Esco operating Corporation v. Kaplan, 258 N.Y.S. 303, 144 Misc. 646.*

The failures of Attorney James C. Coward, Jr.(P65426), to disclose erroneous actions of the Respondents et seq, and/or the States of Michigan et seq, do at a minimum defines whereas to at a minimum be in violations of 18 USCA 241 et seq, and/or 18 USCA 242 et seq. see Michigan Elliott-Larsen Civil Rights Act et seq, see Federal Civil Rights Act of 1964{ see Title VI et seq, and/or see Title VII et seq }, see Fourteenth Amendment of the United States Constitution et seq. *see United States v. Greer(1991, CA5 Tex) 939 F2d 1076, 36 Fed Rules Evid Serv 168, reh, en banc, gr(1991, CA5 Tex) 948 F2d 934 and reinstated, in part, on reh, en banc(1992, CA5 Tex) 968 F2d 433, reh den(1992, CA5) 1992 US App LEXIS 23160 asnd cert den(1993, US) 122 l Ed 2d 764, 113 S.Ct. 1390. see Douglas v. California (1963) 372 US 353, 9 L Ed 2d 811, 83 S.Ct. 814, reh den (1963) 373 US 905, 10 L Ed 2d 200, 83 S.Ct. 1288.*

PETITION FOR LEGAL ASSISTANCE

This Petitioner does request of this most Honorable United States Supreme Court et seq/al any and all manner of legal assistance this court deems fit. Pursuant to Article 23, Section 14 of the SEIU Labor Agreement et seq. see Fourteenth Amendment of the United States Constitution et seq.

PETITION TO PRACTICE

Petitioner does request that this United States Supreme Court et seq/al will grant to this Petitioner the chance to put forth oral statements by way of being awarded the right to practice before this Honorable United States Supreme Court et seq/al.

PETITION TO RELAX THE RULES

This Petitioner does request of this most Honorable United States Supreme Court et seq/al grant any and all manner of Relaxation Of The Rules of the United States Supreme Court et seq, that this court deems fit.

APPENDIX I

STATE OF MICHIGAN
MICHIGAN SUPREME COURT

HERBERT W.G. CLANTON,
Plaintiff-Appellant,

v

ST. LAWRENCE HOSPITAL, LAURENCE DOMINO, and **MIKE BOWDEN,**
Defendants-Appellees.

SC:132091
COA:271432
Ingham CC:06-500-NO

/

HERBERT W.G. CLANTON,
Plaintiff-Appellant,

v

INGHAM CIRCUIT JUDGE,
Defendants-Appellees.

SC:132092
COA:271935
Ingham CC:06-500-NO

/

ORDER

On order of the Court, the applications for leave to appeal the September 12, 2006 and September 15, 2006 orders of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court. Costs of $250 are assessed against the plaintiff in favor of the defendants under MCR 7.316(D)(1) for filing a vexatious appeal. The plaintiff is barred from submitting additional filings in this Court until he offers proof that he has paid all his outstanding court-imposed sanctions.

ss.//Corbin R. Davis

Date: December 13, 2006

APPENDIX II

STATE OF MICHIGAN
MICHIGAN COURT OF APPEALS

HERBERT W.G. CLANTON,
Plaintiff-Appellant,

COA:272815
Ingham CC:06-500-NO

v

ST. LAWRENCE HOSPITAL,
LAURENCE DOMINO, and
MIKE BOWDEN,
Defendants-Appellees.
_____/

ORDER

E. Thomas Fitzgerald, Judge Acting under MCR 7.217 and MCR 7.219(I), orders:

The above appeal is DISMISSED for want of prosecution, appellant having failed to filed a conforming brief on appeal. This Court sent appellant letters on November 1 and 29, 2006, explaining why his brief was defective and outlining the corrections required for it to conform to MCR 7.212(C). In the November 29, 2006, letter, this court advised that if the next amended brief did not conform to the above rule, this Court may dismiss the case. The amended brief filed on December 18, 2006, failed to comply with MCR 7.212(C) because the statements of facts did not provide references to the lower court record, the arguments did not contained standards of review, and the brief sections were not in the required order.

ss.//Sandra Schultz Mengel, Chief Clerk

Date: Jan. 04, 2006

APPENDIX III

STATE OF MICHIGAN
MICHIGAN COURT OF APPEALS

HERBERT W.G. CLANTON,
Plaintiff-Appellant, **COA**:271432
Ingham CC:06-500-NO

v

ST. LAWRENCE HOSPITAL,
LAURENCE DOMINO, and
MIKE BOWDEN,
Defendants-Appellees.
_____/

ORDER

E. Thomas Fitzgerald, Judge Acting under MCR 7.217 and MCR 7.219(I), orders:

The above appeal is DISMISSED for want of prosecution, appellant having failed to timely filed the brief on appeal as directed by Amended Administrative Order 2004-5{ 9(B)(4)}.

ss.//Sandra Schultz Mengel, Chief Clerk

Date: Sept. 12, 2006

APPENDIX IV
STATE OF MICHIGAN
MICHIGAN COURT OF APPEALS

HERBERT W.G. CLANTON,
Plaintiff-Appellant, **COA**:271432
Ingham CC:06-500-NO

v

ST. LAWRENCE HOSPITAL,
LAURENCE DOMINO, and
MIKE BOWDEN,
Defendants-Appellees.
_____/

ORDER

E. Thomas Fitzgerald, Judge Acting under MCR 7.211(E)(2), and MCR 7.219(I), orders:

The motion to waive fees is DENIED because this court has the inherent authority to deny a motion to waive fees to curb serious abuses by persons filing numerous cases. see In Re McDonald, 480 US 180; 103 L Ed 2nd 158; 109 S Ct 993 (1989). This is the 26th cased filed by the appellate in this Court. He has never failed a case in this Court that has been successful. Many of his cases got dismissed for lack of jurisdiction or not correcting filing defects. He also never got a favorable ruling from the Michigan Supreme Court or United States Supreme Court. Furthermore, he has already filed a meaningless document titled " protest and/or objections" against costs/attorney fees for defendant(s)/ appellee(s)" and then amended document. This title has appeared on pleading filed in some of his previous cases.

Appellants shall pay to the Clerk of this Court, within 21 days of the certifications of this order, the entry fee of $375.00 and motion fee of 100, for a total of $475.00 Failure to comply with order will result in the dismissal of this Appeal.

ss.//Sandra Schultz Mengel, Chief Clerk

Date: Sept. 12, 2006

APPENDIX V
STATE OF MICHIGAN
MICHIGAN 30TH CIRCUIT COURT

HERBERT W.G. CLANTON,
Plaintiff, **Ingham CC**:06-500-NO
Hon. Nettles-Nickerson

v

ST. LAWRENCE HOSPITAL,
LAURENCE DOMINO, and
MIKE BOWDEN,
Defendants.
_____/

ORDER OF JUDGMENT FOR TAXED COSTS AND SANCTIONS AS FRIVOLOUS ACTION

At a session of said Court held in the Courthouse for the County of Ingham, State of Michigan on this 14 day of August, 2006.

Present: **Hon**. Nettles-Nickerson, Circuit Court Judge

THIS MATTER having been brought on for hearing on defendants St. Lawrence Hospital, Laurence Domino and Mike Bowden's Motion for Summary Judgment or in the Alternative for More Definitive Statement, the Court having heard Oral Argument and otherwise being fully advised of the premises; **IT IS ORDERED** that Defendants' Motion for an Award of Taxed Costs and Imposition of Sanctions as Frivolous Actions is GRANTED, for reasons stated on the record, and for those reasons contained in Defendants' motion and brief; **IT IS FURTHER ORDERED** that Defendant are awarded a judgment for taxed costs and sanctions in the amount of $ 9,652.50.

ss.//Beverley Nettles-Nickerson, Circuit Judge
Date: August 14, 2006

APPENDIX VI

STATE OF MICHIGAN
MICHIGAN 30TH CIRCUIT COURT

HERBERT W.G. CLANTON,
Plaintiff, **Ingham CC**:06-500-NO
Hon. Nettles-Nickerson

v

ST. LAWRENCE HOSPITAL,
LAURENCE DOMINO, and
MIKE BOWDEN,
Defendants.
_____/

ORDER GRANTING DEFENDANT ST. LAWRENCE HOSPITAL, LAURENCE DOMINO AND MIKE BOWDEN'S MOTION FOR SUMMARY JUDGMENT

At a session of said Court held in the Courthouse for the County of Ingham, State of Michigan on this 21 day of June, 2006.

Present: **Hon**. Nettles-Nickerson, Circuit Court Judge

THIS MATTER having been brought on for hearing on defendants St. Lawrence Hospital, Laurence Domino and Mike Bowden's Motion for Summary Judgment or in the Alternative for More Definitive Statement, the Court having heard Oral Argument and otherwise being fully advised of the premises; **IT IS ORDERED** that Defendants St. Lawrence Hospital, Laurence Domino and Mike Bowden's Motion for Summary Judgment is GRANTED, with prejudice, for the reasons stated on the record, thereby dismissing this action against these Defendants.

ss.//Beverley Nettles-Nickerson, Circuit Judge
Date: June 21, 2006

APPENDIX VII

CASES OF RELEVANCE TO WRIT

The Respondents et seq/al, have determine that a minimum of the following are matters for considerations.

Herbert W.G. Clanton –v- Michigan Department of Civil Rights: Mich. 3 Rd. Circuit Court Docket No:03-335443-AW et seq/al.

Herbert W.G. Clanton –v- Michigan Department of Civil Rights: Mich: Claims Court Docket No:04-000195-MM et seq/al

Herbert W.G. Clanton –v- Michigan Department of Civil Rights: Mich. Appeals Court Docket No:266447 et seq/al.

Herbert W.G. Clanton –v- Michigan Department of Civil Rights: Mich. Appeals Court Docket No:259618 et seq/al.

Herbert W.G. Clanton –v- Wayne Circuit Judge: Mich. Appeals Court Docket No:266447 et seq/al.

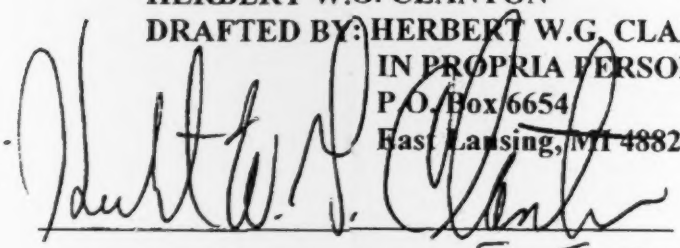
Herbert W.G. Clanton –v- Michigan Department of Civil Rights: U.S. District Court Docket No:04-73454 et seq/al.

Herbert W.G. Clanton –v- Michigan Department of Transportation: U.S. District Court Docket No:04-73456

Herbert W.G. Clanton -v- Michigan Department of Transportation : U.S. 6TH Circuit Appeals Court Docket No:05-1794 et seq/al.

Herbert W.G. Clanton -v- Michigan Department of Transportation : U.S. Supreme Court Docket No:06-286 et seq/al.

RESPECTFULLY SUBMITTED
HERBERT W.G. CLANTON
DRAFTED BY: HERBERT W.G. CLANTON
IN PROPRIA PERSONA
P.O. Box 6654
East Lansing, MI 48826



DATE: 5, 5, 2009

"I, declare the foregoing and above is true to the best of my beliefs', information(s), and/or knowledge(s)".

SUPPLEMENTAL APPENDIX

Supreme Court, U.S.
FILED
07-23 MAR 12 2007
OFFICE OF THE CLERK

DOCKET No:

IN THE
SUPREME COURT OF THE UNITED STATES

HERBERT W.G. CLANTON,

Petitioner,

-VS-

SPARROW HEALTH SYSTEM, ST. LAWRENCE HOSPITAL, LAURENCE DOMINO, MIKE BOWDEN ROLAND H. BRAIDLY,

Respondents,

MICHIGAN 30TH CIRCUIT COURT/JUDGE et seq/al, HON. BEVERLEY NETTLES-NICKERSON et seq/al,

Respondents,

SUPPLEMENTAL APPENDIX
ON PETITION FOR WRIT OF CERTIORARI
To The Michigan Appeals Court
ORDERS

SUPPLEMENTAL APPENDIX
PETITION FOR WRIT OF CERTIORARI

HERBERT W.G. CLANTON
IN PROPRIA PERSONA
P.O. Box 6654
East Lansing, MI 48826
Phone: NONE

BEST AVAILABLE COPY

INDEX OF AUTHORITIES

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DECISIONS BELOW

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September 15, 2006, Orders of the Michigan Appeals Court, see Appendix B. iii

APPENDIX: A

STATE OF MICHIGAN
MICHIGAN COURT OF APPEALS

HERBERT W.G. CLANTON,

COA:271935

v **Ingham CC**:06-500-NO

Ingham Circuit Judge.

_____/

ORDER

E. Thomas Fitzgerald, Judge, acting under MCR 7.211(E)(2), orders:

The motion to waive fees as for the request for superintending control is **DENIED** because this Court has the inherent authority to deny a motion to waive fees to curb serious abuses by persons filing numerous cases. See In Re McDonald, 480 US 180; 103 L Ed 2nd 158; 109 S Ct 993 (1989). This is the 27th case filed by appellant in this Court. He has never filed a case in this Court that has been successful. Many of his cases got dismissed for lack of jurisdiction or not correcting a filing defect. He has never got a favorable ruling from the Michigan Supreme Court of the United States Supreme Court. Furthermore, he has all ready filed a meaningless document in a companion case titled, " protest and/or objections against costs/attorney fees for defendant(s)/appellee(s)" and then an amended documents. This title has appeared on pleading filed in some of his previous cases.

Appellants shall pay to the Clerk of this Court, within 21 days of the certification of this order, the entry fee of $375.00 and the motion fee of $100.00, for a total of $475.00. Failure to comply with this order will result in dismissal of this appeal.

ss.//Sandra Schultz Mengel, Chief Clerk

Date: Aug. -9, 2006

APPENDIX B

STATE OF MICHIGAN
MICHIGAN COURT OF APPEALS

HERBERT W.G. CLANTON,
Plaintiff-Appellant,

COA:271935
Ingham CC:06-500-NO

v

ST. LAWRENCE HOSPITAL,
LAURENCE DOMINO, and
MIKE BOWDEN,
Defendants-Appellees.

_____/

ORDER

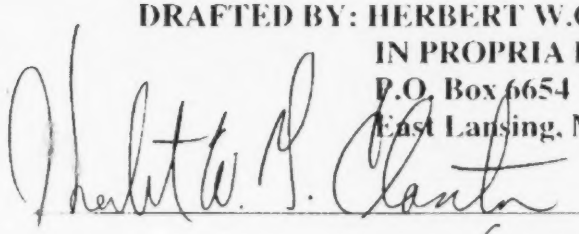
William C. Whitbeck, Chief Judge, acting under MCR 7.201(B)(3) and &.216(A)(10), orders:

The request for superintending control is DISMISSED for failure to pursue this case in conformity with the rules. MCR 7.210(B)(3) and 7.216(A)(10). The Clerk of this Court served appellant with an order regarding the payment of an entry fee, and appellant failed to pay the entry fee in a timely manner. Dismissal is without prejudice to whatever other relief may be available consistent with the Court Rules.

ss.//Sandra Schultz Mengel, Chief Clerk

Date: Sep. 15, 2006

RESPECTFULLY SUBMITTED
HERBERT W.G. CLANTON
DRAFTED BY: HERBERT W.G. CLANTON
IN PROPRIA PERSONA
P.O. Box 6654
East Lansing, MI 48826



DATE: 6 28 2007

"I, declare the foregoing and above is true to the best of my beliefs', information(s), and/or knowledge(s)".